GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:159
ANSWERED ON:02.07.2009
VACANCIES OF JUDGES IN VARIOUS COURTS
Rajaram Shri Wakchaure Bhausaheb

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the total number of sanctioned posts of judges in the High Courts and Session Courts of various States alongwith the number of vacant posts and the dates since the said posts are vacant;

(b) the reasons for not filling up the said vacant posts ;

(c) whether the Government proposes to appoint more judges in the High Courts to bring down pendency of cases in the said courts;

(d) if so, the details thereof? and

(e) if not, the reasons thereof?

Answer

MINISTER OF LAW AND JUSTICE(DR. M. VEERAPPA MOILY)

(a) to (e) A Statement containing the total number of sanctioned posts of Judges in the High Courts along with the number of vacant posts and the dates since the said posts are vacant is enclosed.

The Government proposes to fill up the vacancies in the High Courts to bring down pendency of cases. At present, proposals for appointment of 42 Judges in various High Courts are under consideration of the Government. To fill up the remaining 190 vacancies covering both the Bar and the Judicial Service, the proposals are to be initiated by the Chief Justice of the concerned High Courts as per the Supreme Court Judgment of October 6, 1993 read with their Advisory Opinion of October 28, 1998. The Government has been requesting the Chief Justices of the High Courts from time to time to initiate proposals for filling up the existing vacancies as well as the vacancies anticipated during the next six months.

As per article 235 of the Constitution of India, the administration control over the members of the subordinate judiciary in the States vests with the concerned State Government and the High Courts. Filling up of the vacant posts of Judges/Magistrates in district and subordinate courts is, therefore, the responsibility of the respective State Governments and High Court. The Government does not maintain information on the sanctioned posts of Judges and vacancies of session Courts in various States.